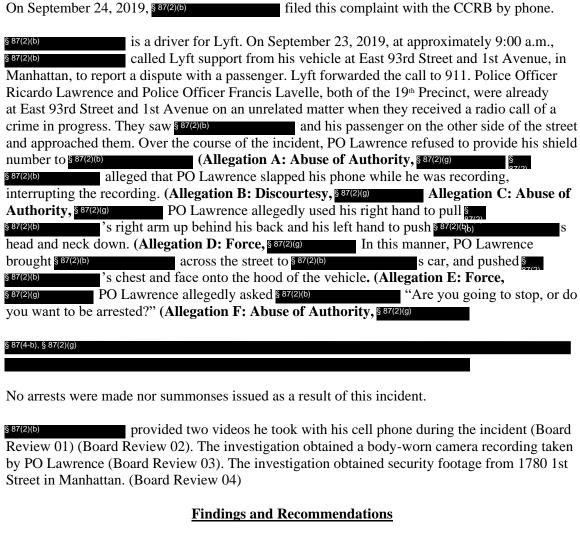
## CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	$\square$	Force		Discourt.	☐ U.S	<b>.</b>
Chris Olmsted		Squad #9	201908455	Ø	Abuse		O.L.	☐ Inju	ıry
Incident Date(s)		Location of Incident:		F	Precinct:	18	Mo. SOL	EO S	OL
Monday, 09/23/2019 9:00 AM		East 93rd Street and 1s	t Avenue		19	3,	/23/2021	11/7/2	2021
Date/Time CV Reported		CV Reported At:	How CV Reported:	:	Date/Time	Rece	eived at CCF	RB	
Tue, 09/24/2019 1:50 PM		CCRB	Phone		Tue, 09/24	/2019	9 1:50 PM		
Complainant/Victim	Type	Home Addre	ess		•				
Subject Officer(s)	Shield	TaxID	Command						
1. POM Ricardo Lawrence	23320	952972	019 PCT						
2. POM Francis Lavelle	14896	927062	019 PCT						
Officer(s)	Allegation	on			Inve	stiga	ator Recon	ımendat	ion
A.POM Ricardo Lawrence		olice Officer Ricardo La I number to <sup>§ 87(2)(b)</sup>	awrence refused to p	orov	ide				
B.POM Ricardo Lawrence		esy: Police Officer Ricar cously toward § 87(2)(b)	rdo Lawrence acted						
C.POM Ricardo Lawrence	Abuse: P § 87(2)(b)	olice Officer Ricardo La s use of a r	awrence interfered wrecording device.	vith					
D.POM Ricardo Lawrence	Force: Po	olice Officer Ricardo La	wrence used physica	al fo	orce				
E.POM Ricardo Lawrence	Force: Possible (%)	olice Officer Ricardo La against a vehicle							
F.POM Ricardo Lawrence	Abuse: P § 87(2)(b)	olice Officer Ricardo La	awrence threatened	to ar	rest				
§ 87(4-b), § 87(2)(g)									

## **Case Summary**



Allegation (A) Abuse of Authority: Police Officer Ricardo Lawrence refused to provide his shield number to \$57(2)(b)

Allegation (B) Discourtesy: Police Officer Ricardo Lawrence acted discourteously toward \$87(2)(b)

Allegation (C) Abuse of Authority: Police Officer Ricardo Lawrence interfered with \$57(2)

's use of a recording device.

It is undisputed that, on September 23, 2019, at approximately 9:00 a.m., Police Officer Ricardo Lawrence and Police Officer Francis Lavelle, both of the 19<sup>th</sup> Precinct, responded to East 93rd Street and 1st Avenue in response to a reported crime in progress.

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<u>Patrol Guide Procedure 203-09</u> instructs officers to, "Courteously and clearly state your rank, name, shield number and command, or otherwise provide them, to anyone who requests you to do so. Allow the person ample time to note this information." (Board Review 05)
Patrol Guide Procedure 203-29 states that officers may not interfere with a civilian's use of a recording device without a legitimate law enforcement reason to do so. It defines interference as threatening, intimidating, or otherwise discouraging an observer from recording the police officer's activities; or intentionally blocking or obstructing cameras or other recording devices when there is no legitimate law enforcement reason to do so. (Board Review 06)
§ 87(2)(g)
§ 87(2)(g)
§ 87(2)(g)

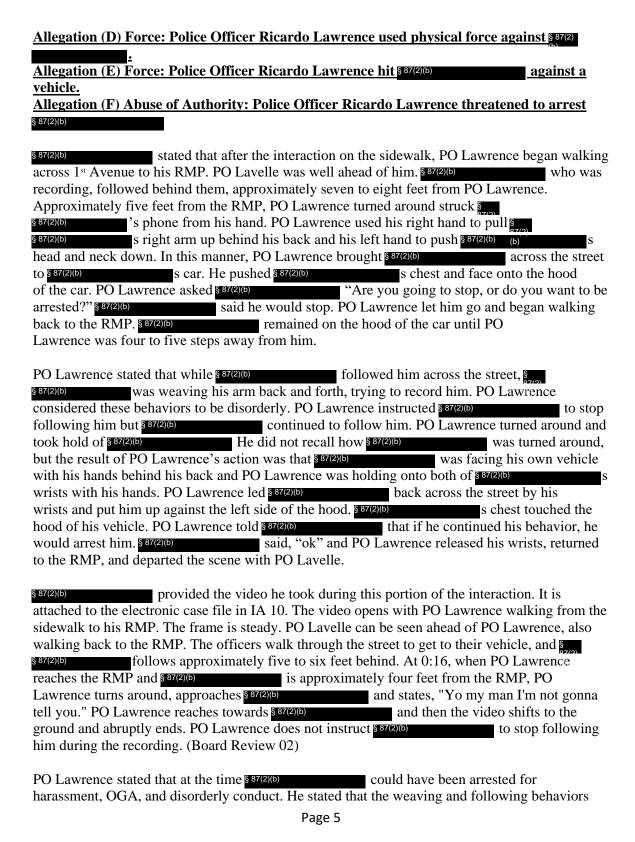
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CCRB Case # 201908455

not taken a report and had continued to follow him. PO Lawrence did not want

PO Lawrence had already deactivated his body-worn camera video before these interactions.

behind him.



were the grounds for all three charges. He could not identify in what way \$87(2)(b) was causing public inconvenience, annoyance, or alarm beyond continuing to follow him. He could not identify from memory under which aspect of the disorderly conduct statue \$87(2)(b) was violating. He stated he would have arrested \$87(2)(b) and determined the charge later.
PO Lavelle stated that after PO Lawrence placed \$87(2)(b) against the car, PO Lawrence said, "If you come like that close behind my back again next time, I'll put you in cuffs." There was further dialogue between \$87(2)(b) and PO Lawrence, but PO Lavelle did not recall what was said. PO Lawrence released \$27(2)(b) and both officers returned to their RMP.
New York Penal Law 240.20 states that to be guilty of disorderly conduct, a person must act with intent to cause or recklessly create a risk of public inconvenience, annoyance, or alarm. (Board Review 07)
New York Penal Law 240.26 states that to be guilty of harassment, a person must act with intent to harass, annoy, or alarm another person. (Board Review 08)
New York Penal Law 195.05 states that a person is guilty of obstructing governmental administration when he intentionally obstructs, impairs, or perverts the administration of law or other governmental function or prevents or attempts to prevent a public servant from performing an official function, by means of intimidation, physical force or interference, or by means of any independently unlawful act. (Board Review 09)
Patrol Guide Procedure 221-01 states that officers may use force when it is reasonable to ensure the safety of a member of the service or a third person, or otherwise protect life, or when it is reasonable to place a person in custody or to prevent escape from custody. (Board Review 10)
§ 87(2)(g)
§ 87(2)(g)

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4-b), § 87(2)(	
	Civilian and Officer CCDP Histories
	Civilian and Officer CCRB Histories
	has been a party to two CCRB complaints and has been named a
victim	in six other allegations. (Board Review 12)
	○ § 87(2)(b)
	Lawrence has been a member of service for seven years and has been a subject in her CCRB complaints and 11 other allegations, none of which has been substantiated.
Tour or	PO Lawrence is a subject in CCRB 201908601. The incident in that case
	occurred on September 26, 2019, two days after this incident. In that case, PO
	Lawrence is alleged to have refused to provide his name and used physical force.
	Video footage in that case appears to show PO Lawrence instructing a civilian,
	multiple times, not to write down his information. § 87(2)(9)
• PO	Lavelle has been a member of service for 19 years and has been a subject in one of
	complaint and three other allegations, none of which has been
	ntiated. § 87(2)(9)

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## Mediation, Civil and Criminal Histories

- On October 15, 2019, this case was sent to mediation and on December 24, 2019, the case was returned to investigation as the complaint was no longer eligible for mediation.
- A FOIL request was submitted with the New York City Office of the Comptroller for a Notice of Claim and will be added to the case file upon receipt.
   [§ 37(2)(5)][§ 38(1)(5)(4)][§ 37(2)(6)]

Squad No.:	<u>9</u>		
Investigator:	Christopher Olmsted Signature		9/16/2020 Date
Squad Leader:	Monique West Signature	IM Monique West Print Title & Name	9/16/2020 Date
Reviewer:		District on N	
Reviewer:	Signature	Print Title & Name	Date

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